

(3) REMARKS**Unobviousness**

Claims 1-4 were previously rejected under 35 USC §103 as being unpatentable over patent abstract of Japan 10/319358 and patent abstract of Japan 10/108899 for the reasons set forth on pages 2 and 3 of the Office Action of January 15, 2003.

In the parent application, Applicants' attorney presented arguments showing the references failure to present a case of *prima facie* obviousness. Briefly, that the references do not use the claimed polyamines at the claimed concentrations for the purpose claimed. Further, Applicants' attorney argued that the data in the Declaration is supportive of a finding of unobviousness.

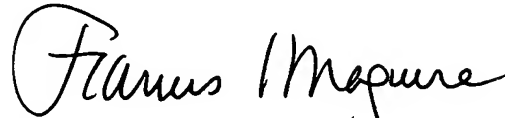
The Declaration data was discussed during a telephonic interview after final rejection, wherein it was noted that the examiner had found that it was not commensurate in scope with the claimed invention. The examiner took the view that while the concentrations tested were commensurate in scope with the claims, the scope of the claimed polyamines with the – $(CH_2)_n$ – group would encompass too many compounds to be properly supported by the test of a single compound (polyallylamine). The examiner did not believe that the showing unexpected results was properly supported by the data without tests of more compounds or a narrowing of the claimed scope, despite the homologous nature of the series.

Applicants now submit an amendment which limits the claims to the single species tested, wherein “n”, by deletion of the term, is now 1 and the group is CH_2 . Accordingly, the test results are fully commensurate in scope with the invention as now claimed.

Applicants have made a significant advance in the art and have described it in a manner that clearly distinguishes it patentably from the prior art. In addition, applicants have submitted evidence of unexpected results which is sufficient in nature and weight to overcome a rejection based on *prima facie* obviousness. Accordingly, reconsideration and

withdrawal of the rejection and allowance of all pending claims are believed in order, and such actions are earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink that reads "Francis J. Maguire". The signature is written in a cursive style with a large, looping initial "F".

Francis J. Maguire
Registration No. 31,391
Attorney for the Applicants

WARE, FRESSOLA, VAN DER SLUYS & ADOLPHSON LLP
Bradford Green, Bldg. Five
755 Main St., P.O. Box 224
Monroe, CT 06468

Telephone: (203) 261-1234
Facsimile: (203) 261-5676